

**Notice of Allowability**

Application No.

09/241,450

Examiner

Ula C. Ruddock

Applicant(s)

RUID ET AL.

Art Unit

1771

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/2/07.
2. ☒ The allowed claim(s) is/are 1, 3, 4, 6-8, 29, 30, 32, 33, and 35-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____  |

### DETAILED ACTION

1. The Examiner has carefully considered Applicant's amendments and accompanying remarks filed March 2, 2007. In view of Applicant's response and the present Examiner's amendment, all previously set forth rejections have been overcome.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven E. Koffs on March 28, 2007.

The application has been amended as follows:

\*\*Please delete claims 5 and 34.

\*\*In claim 3, line 1, delete "2" and insert -1--.

\*\*In claim 32, line 1, delete "31" and insert -30--.

\*\*Amend the following claims:

Claim 1 (Currently Amended) A composite comprising:

(a) at least one body layer of a flexible, resilient, porous web having a roughly textured face, wherein the body layer comprises insulation having a density of about 0.5 to 7 pounds per foot<sup>3</sup>, and a thickness of at least about 0.5 inch (1.3 cm); and

(b) a flexible, resilient cover layer of a solid of a cured liquid cast directly on and directly contacting the roughly textured face, to form a flexible, resilient composite,

in which the cover layer is a flexible polymer comprising acrylic polymer,

in which the cover layer has a thickness dimension which is substantially uniform and

in which the cover layer is permanently embedded into the body layer from the roughly textured face to a depth less than the thickness dimension,

and in which the body layer comprises a second face opposite to the face embedded by the cover layer and which composite further comprises an outer layer on the second face comprising a material selected from the group consisting of metal foil, organic film, paper and a combination thereof.

Claim 4 (Currently Amended) The composite of claim 1 in which the cover layer further comprises is a flexible polymer selected from the group consisting of ~~acrylic polymer,~~ polyvinyl acetate, and polystyrene, ~~and a mixture of at least two of them.~~

Claim 29 (Currently Amended): An insulation composite produced by a process comprising the steps of:

placing in a substantially horizontal position a body layer of flexible, resilient insulating material having a density of about 0.5 to 7 pounds per foot<sup>3</sup>, and a thickness of at least about 0.5 inch (1.3 cm), the insulating material having an upwardly directed, roughly textured face;

casting a liquid capable of curing to a solid directly onto the textured face so as to directly

contact the textured face;

moving the body layer horizontally relative to a horizontally disposed coating bar having a downwardly facing corrugated axial profile defining alternating ridges and grooves such that the ridges contact the face; pressing a first portion of the liquid in proximity of the ridges into the body layer while passing a second portion of the liquid through the grooves; allowing the second portion of the liquid to settle in a substantially uniform thickness layer over the first portion of liquid ; and

curing the liquid to a flexible, resilient solid, thereby producing a cover layer of substantially uniform thickness permanently embedded in the face of the body layer to form a flexible, resilient composite, in which the liquid is a flexible polymer comprising acrylic polymer,

and in which the body layer comprises a second face opposite to the face embedded by the cover layer and which composite further comprises an outer layer on the second face comprising a material selected from the group consisting of metal foil, organic film, paper and a combination thereof.

Claim 43 (Currently Amended): A composite comprising

(a) at least one body layer of a fiber glass or mineral fiber thermal and acoustical insulation material having a roughly textured face; and

(b) a cover layer of a solid of a cured liquid cast directly on and directly contacting the roughly textured face, to form a composite,

wherein the cover layer has a thickness dimension which is substantially uniform, and the cover layer is permanently embedded into the body layer from the roughly textured face to a depth

less than the thickness dimension, and

the body layer has an exposed fiber glass or mineral fiber face opposite the roughly textured face,

in which the cover layer is a flexible polymer comprising acrylic polymer,

and in which the body layer comprises a second face opposite to the face embedded by the cover layer and which composite further comprises an outer layer on the second face comprising a material selected from the group consisting of metal foil, organic film, paper and a combination thereof.

Claim 47 (Currently Amended): A composite comprising

(a) at least one body layer of a fiber glass or mineral fiber thermal and acoustical insulation material having a roughly textured face, the body layer having a second face opposite to the roughly textured face;

(b) a cover layer of a solid of a cured liquid cast directly on and directly contacting the roughly textured face, to form a composite, in which the cover layer is a flexible polymer comprising acrylic polymer, and

(c) an outer layer on the second face comprising metal foil, wherein the cover layer has a thickness dimension which is substantially uniform, and the cover layer is permanently embedded into the body layer from the roughly textured face to a depth less than the thickness dimension.

***Reasons for Allowance***

3. Claims 1, 3, 4, 6-8, 29, 30, 32, 33, and 35-47 are allowed.

4. The following is an examiner's statement of reasons for allowance: all previously set forth rejections have been overcome in view of Applicant's response and the present Examiner's amendment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ula C. Ruddock whose telephone number is 571-272-1481. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H. Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*W. A. Raddick*  
W. A. Raddick  
Primary Examiner  
Tech Center 1703